

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

WILLIAM R. PESKIN, MARK PERKINS,
KENNETH L. KLAER, and MARIE R.
KLAER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

PEACHTREE INVESTMENT
SOLUTIONS, LLC, et al.

Defendants.

C.A. No. 1:21-cv-00002-SCJ

JURY TRIAL DEMANDED

**DEFENDANTS PEACHTREE INVESTMENT SOLUTIONS, LLC,
DWAYNE PETERSON DAVIS, AND J. STEPHEN BUSH’S MOTION TO
DISMISS PLAINTIFFS’ SECOND AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Peachtree Investment Solutions, LLC, Dwayne Peterson Davis, and J. Stephen Bush (collectively, “the Peachtree Defendants”) respectfully move this Court for an Order dismissing Plaintiffs’ Second Amended Class Action Complaint for failing to state a claim for which relief may be granted. In addition, the Peachtree Defendants further move for a dismissal of Plaintiffs’ Second Amended Class Action Complaint for failing to satisfy Federal Rules of Civil Procedure 8(a)(2), 10(b) and 9(b). The

grounds for this Motion are set forth in the accompanying Memorandum of Law filed contemporaneously herewith.

Respectfully submitted this 14th day of December, 2022.

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LOCAL RULE 7.1(D) CERTIFICATION

The undersigned hereby certifies that the foregoing **Defendants Peachtree Investment Solutions, LLC, Dwayne Peterson Davis, and J. Stephen Bush's Motion to Dismiss Plaintiffs' Second Amended Complaint** was prepared in Times New Roman 14-point font, pursuant to Local Rule 5.1(B).

/s/ David L. Pardue

David L. Pardue (GA Bar No. 561217)

CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2022, I electronically filed the foregoing document with the Clerk of Court using the Court's CM/ECF system, which will automatically send email notification of such filing to all counsel of record.

/s/ David L. Purdue

David L. Purdue (GA Bar No. 561217)